
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Webb

Attorney Docket No.: GENSP009C1

Application No.: 10/707,314

Examiner: ALEMU, Ephrem

Filed: December 4, 2003

Group: 2821

Title: METHOD AND APPARATUS FOR
PROVIDING A DYNAMIC ROTATIONAL
ALIGNMENT OF A CATHODE RAY TUBE
RASTER

Confirmation No.: 1313

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on April 17, 2007.

Signed: Linda L. Quintana/
Linda L. Quintana

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR §1.181
AND
CONDITIONAL PETITION TO REVIVE AN UNINTENTIONALLY
ABANDONED APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that the Notice of Abandonment mailed on February 19, 2007 be withdrawn in view of the timely filed Issue Fee payment mailed on December 8, 2006.

Statement of Facts:

A Notice of Allowance and Issue Fee Due and a Notice of Allowability were mailed by the Patent Office on October 16, 2006. A response to that Notice of Allowance was due on January 16, 2007. In response to the outstanding Notice of Allowance, Applicant's attorney of record timely paid the issue fee and filed an accompanying fee transmittal (PTOL-85) on November 8, 2006. According to the records shown in public PAIR, the issue fee form PTOL-85 was received by the patent office on November 13, 2006 (Attachment A).

The issue fee transmittal included an authorization to charge the issue fee, together with the publication fee and the fee for advanced copies to our Deposit Account (Account No. 500388).

07/26/2007 CKHLOK 00000010 500388 10707314

01 FC:1453 1500.00 DA
02 FC:1501 1400.00 DA

Upon reviewing the November Deposit Account Statement for our Deposit Account (see page 5 of Attachment B), it is apparent that the publication fee and the fees for the advanced copies were charged to the Deposit Account. However, the issue fee was apparently not charged to the Deposit Account. Based upon a review of the November Deposit Account Statement, it appears that possibly at the instant that the Patent Office attempted to hit up the Deposit Account, the balance had insufficient funds.

On the same day that the publication fee and the fees for the advanced copies were charged to the Deposit Account, a payment of \$20,000 was credited to the Deposit Account (see page 5 of Attachment B). That payment of \$20,000 was wired to the U.S. Patent Office from Comerica Bank on November 10, 2006, as is evidenced by the Commercial Checking Statement from our checking account, the relevant portion of which is attached as Attachment C. Our November 10, 2006 fax communication to Comerica requesting the \$20,000 wire transfer is also a part of Attachment C. Therefore, it appears that sufficient funds had already been provided to the Patent Office and that a reason that the funds may not have been reflected in Deposit Account No. 500388 is due to delay by the Patent Office.

Additionally, it is noted that on November 14, 2006, an additional payment of \$50,000 was wired to the U.S. Patent Office as is evidenced by the Commercial Checking Statement from our checking account (Attachment C) in combination with our November 14, 2006 fax communication to Comerica Bank requesting the transfer (Attachment D).

At all other times from November 14, 2006 to January 16, 2007 (a period of over two months), our Deposit Account had more than sufficient funds to cover the issue fee. Based upon our review of our November Deposit Account Statement for Deposit Account No. 500388, it appears that no other attempts were made to charge the Deposit Account and we did not receive any indication that an unsuccessful attempt was made to charge fees to our Deposit Account in this (or any other) case.

In view of the foregoing, it is respectfully submitted that Applicant's attorney made a good faith effort to submit payment of the issue fee within the time limit allotted, and well before the due date of January 16, 2007. Further it is respectfully submitted that sufficient funds should have been available in Applicant's representative's Deposit Account at the time the issue fee was paid. Accordingly, Applicant respectfully requests that the Notice of Abandonment in this application be withdrawn and the application be reinstated and passed to issuance in due course.

The undersigned respectfully requests and hereby authorizes that the issue fee payment be charged to Deposit Account No. 500388 (Order No. GENSP009C1).

Furthermore, if any fees are required in connection with the filing of this petition, the undersigned respectfully requests and hereby authorizes that such fees be charged to Deposit Account No. 500388 (Order No. GENSP009C1).

Should the Commissioner deny this petition to withdraw the Notice of Abandonment, please treat this paper as a contingent Petition to Revive the Application under 37 C.F.R.

§1.137(b). The entire delay in paying the issue fee in the above-identified application from the date that such payment was due until the filing of this paper was entirely unintentional.

If this paper is treated as a Petition to Revive under 37 C.F.R. §1.137(b), please charge Deposit Account No. 500388 in the amount of the petition fee set forth in 37 C.F.R. §1.17(m) and the issue fee amount. The Issue Fee Due Form (PTOL-85) was previously filed and a copy of that paper is included herewith as Attachment A for informational purposes. Please reference Atty. Docket No. GENSP009C1 when charging the Deposit Account.

The undersigned, Michael J. Ferrazano, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application resulting therefrom.

Respectfully submitted,
BEYER WEAVER LLP

/Michael J. Ferrazano/
Michael J. Ferrazano
Reg. No. 44,105

P.O. Box 70250
Oakland, CA 94612-0250
(408) 255-8001

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or **Fax** (571)-273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. Correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

*CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

22434 7590 10/16/2006

BEYER WEAVER & THOMAS, LLP
 P.O. BOX 70250
 OAKLAND, CA 94612-0250

11/14/2006 SFELEKE2 00000020 500388 10707314

01 FC:1504 300.00 DA
 02 FC:8001 21.00 DA

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Linda L. Quintana

(Depositor's name)

Linda L. Quintana

(Signature)

November 8, 2006

(Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10707,314 | 12/04/2003 | James R. Webb | GENSP009C1 | 1313 |

TITLE OF INVENTION: METHOD AND APPARATUS FOR PROVIDING A DYNAMIC ROTATIONAL ALIGNMENT OF A CATHODE RAY TUBE RASTER

| APPLN. TYPE | SMALL ENTITY | ISSUE FEE DUE | PUBLICATION FEE DUE | PREV. PAID ISSUE FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|----------------|---------------------|----------------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$0 | \$1700 | 01/16/2007 |
| EXAMINER | ART UNIT | CLASS-SUBCLASS | | | | |
| ALEMU, EPHREM | 2821 | 315-370000 | | | | |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Beyer Weaver & Thomas, LLP

2 _____

3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Genesis Microchip Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Alviso, CA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

☒ Issue Fee

☒ Publication Fee (No small entity discount permitted)

☒ Advance Order - # of Copies 7

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

☐ A check is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 500388 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.

☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date November 8, 2006

Typed or printed name Michael J. Ferrazano

Registration No. 44,105

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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(Depositor's name)

Linda L. Quintana

(Signature)

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12/04/2003

James R. Webb

GENSP009C1

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Alviso, CA

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